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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/849,187	05/04/2001	Ramesh Nagarajan	13-10	9273
46363	7590	04/01/2005	EXAMINER	
MOSER, PATTERSON & SHERIDAN, LLP/ LUCENT TECHNOLOGIES, INC 595 SHREWSBURY AVENUE SHREWSBURY, NJ 07702			WILSON, ROBERT W	
			ART UNIT	PAPER NUMBER
			2661	

DATE MAILED: 04/01/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	09/849,187	NAGARAJAN ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Robert W Wilson	2661	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 16 December 2004.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-10 and 14-18 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-10 and 14-18 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**


- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |   |
|--|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | <br><b>PHIRIN SAM</b><br><b>PRIMARY EXAMINER</b> | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   |   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ |   | 6) <input type="checkbox"/> Other: _____  |

***Claim Rejections - 35 USC § 102***

1.0 The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2.0 Claims 1-4 & 6-9 are rejected under 35 U.S.C. 102(B) as being anticipated by Shinbashi (U.S. Patent No.: 5,754,545)

Referring to claim 1, Shinbashi teaches: a node (Add/Drop Multiplexer) per Fig 1 which can groom high capacity signal into low capacity signals (Node)

The applicant does not define a “high capacity trunk” in the claim. Drop to a 2<sup>nd</sup> Transmission Line to a 1<sup>st</sup> node (type one node) which is inherently connected the Add/Drop Multiplexer which the examiner interprets as connected via a “high capacity trunk” per Fig 1 or col. 33 lines 31-52 (Interface to a Type one node)

The applicant does not define a “high capacity trunk” in the claim. Drop to a first Transmission Line to a 2<sup>nd</sup> node (type two node) which is inherently connected the Add/Drop Multiplexer which the examiner interprets as connected via a “high capacity trunk” per Fig 1 or col. 33 lines 31-52 (Interface to a Type two node)

When no channels are added from the 3<sup>rd</sup> transmission line then the Add/Drop Multiplexer sends n channels to the 2<sup>nd</sup> transmission line (node type 1) and N-n (a portion) to the 1<sup>st</sup> Transmission Line per Fig 1 or col. 33 lines 31-52 (type 2 node)

In Addition Shibashi teaches:

Regarding claim 2, The Add/Drop Multiplexer can inherently drop any amount of channels including zero per Fig 1 or col. 33 lines 31-52

Regarding claim 3, “High traffic” is not defined in the claim so the examiner has interpreted N-m channels to a type 2 node as “high traffic” per Fig 1 or col. 33 lines 31-52.

Regarding claim 4, The Add/Drop Multiplexer can split the traffic between any two nodes regardless of what the nodes are called per Fig 1 or col. 33 lines 31-52.

Referring to claim 6, Shinbashi teaches: a apparatus (Add/Drop Multiplexer) per Fig 1 for performing selective grooming of client signals (apparatus)

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The applicant does not define a "high capacity trunk" in the claim. The Add/Drop Multiplexer per Fig 1 (node) is coupled to a 2<sup>nd</sup> Transmission Line to a 1<sup>st</sup> node (first node) which is inherently connected the Add/Drop Multiplexer which the examiner interprets as connected via a "high capacity trunk" per Fig 1 or col. 33 lines 31-52 (Interface to a first node)

The applicant does not define a "high capacity trunk" in the claim. The Add/Drop Multiplexer per Fig 1 (node) is coupled to a first Transmission Line to a 2<sup>nd</sup> node (2<sup>nd</sup> node) which is inherently connected the Add/Drop Multiplexer which the examiner interprets as connected via a "high capacity trunk" per Fig 1 or col. 33 lines 31-52 (Interface to a second node)

When no channels are added from the 3<sup>rd</sup> transmission line then the Add/Drop Multiplexer sends n channels to the 2<sup>nd</sup> transmission line (first node) and N-n (a portion) to the first Transmission Line per Fig 1 or col. 33 lines 31-52 (2<sup>nd</sup> node)

In Addition Shibashi teaches:

Regarding claim 7, The Add/Drop Multiplexer can inherently drop any amount of channels including zero per Fig 1 or col. 33 lines 31-52

Regarding claim 8, "High traffic" and "low traffic" is not defined in the claim so the examiner has interpreted n channels to a first node as "low traffic" and N-n channels to the 2<sup>nd</sup> node as "high traffic" per Fig 1 or col. 33 lines 31-52.

Regarding claim 9, The Add/Drop Multiplexer can split the traffic between any two nodes regardless of what the nodes are called per Fig 1 or col. 33 lines 31-52.

### ***Claim Rejections - 35 USC § 103***

3.0 The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 5, 10, and 14-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Shinbashi (U.S. Patent No.: 5,754,545)

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Referring to claims 5,10, & 15, Shinbashi teaches the apparatus of claims 1 & 6 as well as the method of claim 14, and teaches converting between DS-1, STS, and OC signals but does not expressly call for: conversion between E1 and STM-1 signals.

It would have been obvious to one of ordinary skill in the art at the time of the invention to convert between E1 and STM-1 because they are the European versions of DS-1 and STS

Referring to claim 14, Shinbashi teaches: an Add/Drop Multiplexer per Fig 1 for receiving low capacity client signals.

Shinbashi does not expressly call for: the exact order of grooming received low capacity into high capacity of a first node and then transmitting the others of the low capacity client signals over another high capacity trunk to a second type of node but teaches an Add/Drop multiplexer for dropping n channels of N total channels, then adding n channels, then dropping N channels per Fig 1.

The applicant does not define a “low capacity trunk” nor does the applicant define “high capacity trunk” in the claim.

It is within the level of one skilled in the art to implement the Add/Drop multiplexer of Fig 1 as a Add, Drop, Drop or to selectively groom a portion of the received low capacity client signal into a high capacity trunk for transmission to a first type of node and transmitting others of the low capacity client signals over another high capacity trunk directly coupled to a second type of node

In Addition Shibashi teaches:

Regarding claim 16, The Add/Drop Multiplexer can inherently drop any amount of channels including zero per Fig 1 or col. 33 lines 31-52

Regarding claim 17, The Add/Drop Multiplexer can split the traffic between any two nodes regardless of what the nodes are called per Fig 1 or col. 33 lines 31-52.

Regarding claim 18, “High traffic” and “low traffic” is not defined in the claim so the examiner has interpreted n channels to a first node as “low traffic” and N-n channels to the 2<sup>nd</sup> node as “high traffic” per Fig 1 or col. 33 lines 31-52.

### ***Response to Amendment***

4.0 Applicant's arguments with respect to claims 1-10 & 14-18 have been considered but are moot in view of the new ground(s) of rejection. Please refer to the above rejection for details.

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***Conclusion***

5.0 Any inquiry concerning this communication or earlier communications from the examiner should be directed to Robert W Wilson whose telephone number is 571/272-3075. The examiner can normally be reached on M-F (8:00-4:30).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chau T. Nguyen can be reached on 571/272-3126. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Robert W Wilson  
Examiner  
Art Unit 2661

RWW  
3/23/05



PHIRIN SAM  
PRIMARY EXAMINER